

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 98-118
NPDES NO. CA0030147

WASTE DISCHARGE REQUIREMENTS FOR:

TIDEWATER SAND AND GRAVEL COMPANY
OAKLAND YARD
ALAMEDA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region
(hereinafter called the Board) finds that:

- A. On April 17, 1986, the Board adopted National Pollutant Discharge Elimination System (NPDES) Permit No. CA0028126, Order No. 86-25 for Tidewater Sand and Gravel Company, hereinafter called the discharger.
- B. On March 15, 1989, this permit was rescinded on the basis that the discharge permitted by Order No. 86-25 had been discontinued.
- C. The discharger has again applied for reissuance of waste discharge requirements and a permit to discharge waste into Oakland Inner Harbor Channel under NPDES due to the discovery of additional waste streams.

FACILITY DESCRIPTION

- D. The facility is located at 4501 Tidewater Avenue in Oakland and is immediately adjacent to Oakland Inner Harbor Channel.
- E. The discharger reclaims sand and gravel from San Francisco Bay and transports them to the facility by barge. The reclaimed sand is stockpiled on site to be later removed by trucks for use in construction projects. Some of these stockpiled sands are further processed by screening a mixture of the sand and tap water through a fixed size filter.

DISCHARGE DESCRIPTION

- F. The waste produced from the discharger's operation consist of the following:

Waste 001 is an intermittent discharge of up to 20,000 gpd of water used for sand screening, seasonal stormwater, and negligible amounts of Bay water which seeps from the sand piles during drying..

Waste 002 is an intermittent discharge of seasonal stormwater which drains down the riprap slope into the estuary.

Waste 003 is an intermittent discharge of seasonal stormwater to the street.

Waste 004 is an intermittent discharge of up to 20,000 gpd of water used for sand screening, seasonal stormwater, and negligible amounts of Bay water which seeps from the sand piles during drying.

- G. The discharger does not screen sand during rainfall. Therefore, no sand screening water is discharged during storm events.
- H. The site is paved to drain away from the boundaries and into the trench drains, which is a perforated pipe (Outfall 001) in a trench covered with filter fabric and (Outfall 004) a trench backfilled with sand and gravel. All of the wastewater except minor amounts of stormwater drains through these drains into Oakland Inner Harbor Channel.

APPLICABLE PLANS, POLICIES AND REGULATIONS

- I. The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on June 21, 1995. This updated and consolidated plan represents the Board's master water quality control planning document. The revised Basin Plan was approved by the State Water Resources Control Board (State Board) and the Office of Administrative Law on July 20 and November 13, respectively, of 1995. A summary of regulatory provision is contained in Title 23, Section 3912 of the California Code of Regulations. The Basin Plan defines beneficial uses and water quality objective for waters of the State, including surface and groundwater.
- J. Pursuant to 40 CFR 122.44, "Establishing Limitations, Standards, and Other permit Conditions" NPDES permit should also include toxic pollutant limitations if the discharger uses or manufactures a toxic pollutant as an intermediate or final product or by product. This permit may be modified prior to the expiration date, pursuant to 40 CFR 122.62 and 124.5, to include effluent limitations for toxic constituents determined to be present in significant amounts in the discharge through the monitoring program included as part of this Order.

BENEFICIAL USES

- K. The beneficial uses for Oakland Inner Harbor Channel, a tributary of Central San Francisco Bay are:

- Ocean, Commercial, and Sport Fishing
- Estuarine Habitat
- Industrial Service Supply
- Fish Migration
- Navigation
- Industrial Process Supply
- Preservation of Rare and Endangered Species
- Water Contact Recreation
- Noncontact Water Recreation
- Shell Fish Harvesting
- Fish Spawning
- Wildlife Habitat

BASIS FOR REQUIREMENTS

- L. The Basin Plan establishes a narrative objective for acute and chronic toxicity in the Bay. In part, it states that “All waters shall be maintained free of toxic substances in concentrations that are lethal to or that produce other detrimental responses in aquatic organisms. Detrimental responses include but are not limited to, decreased growth rate and decreased reproductive success of resident or indicator species...”
- M. Receiving water limitations in this Order are based on the plans, policies, and water quality objectives and criteria of the Basin Plan, applicable Federal Regulations (40 CFR Parts 122 through 131), and best professional judgment.

CEQA AND PUBLIC NOTICE OF ACTION

- N. The issuance of waste discharge requirements for this discharge is exempt from the provision of Chapter 3 (commencing with Section 21100 of Division 13) of the Public Resources Code (CEQA) pursuant to Section 13389 of the California Water Code.
- O. The Board has notified the discharger and interested agencies and persons of its intent to issue waste discharge requirements for the discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
- P. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED THAT the discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Clean Water Act and regulations and guidelines adopted thereunder, shall comply with the following:

A. Discharge Prohibitions:

1. Direct discharge of domestic sanitary waste to surface Waters of the State is prohibited.
2. The direct discharge of sand and gravel from the sand yard to Water of the State is prohibited.
3. Discharge of wastewater, materials, or wastes other than stormwater which are not otherwise authorized by this Order, to a storm drain system or Waters of the State is prohibited.
4. The discharge of floating oil or other floating materials from any activity that may cause deleterious bottom deposits, turbidity or discoloration in surface waters is prohibited.

B. Effluent Limitations:

1. The discharge of Waste 001 shall not contain constituents in excess of the following limits:

<u>CONSTITUENTS</u>	<u>UNITS</u>	<u>MONTHLY AVERAGE</u>	<u>MAXIMUM DAILY</u>
Settleable Solids	mg/l-hr	1.0	---
Total Suspended Solids	mg/l	30	45

2. The pH of Waste 001 shall not exceed 8.5 nor be less than 6.5 pH units.
3. The discharge shall meet the following limits of toxicity:

The survival of three spine sticklebacks in a 96 hour static renewal bioassay of the effluent shall be a single sample maximum value of not less than 70 percent survival.

C. Receiving Water Limitations:

1. The discharge of waste shall not cause the following conditions to exist in Waters of the State at any place:
 - a. Floating, suspended, or deposited microscopic particulate matter or foam;
 - b. Bottom deposits or aquatic growths;

- c. Long term alteration of temperature, turbidity, or apparent color beyond present natural background levels;
 - d. Visible, floating, suspended, or deposited oil or other products of petroleum origin;
 - e. Toxic or other deleterious substances to be present in concentrations or quantities which will cause deleterious effects on aquatic biota, wildlife, or waterfowl, or which render any of these unfit for human consumption either at levels created in the receiving waters or as a result of biological concentration.
2. The discharge of waste shall not cause the following limits to be exceeded in Waters of the State in any place within one foot of the water surface:
- a. **Dissolved oxygen:** 5.0 mg/l minimum. Median of any three consecutive months shall not be less than 80% saturation. When natural factors cause lesser concentration(s) than those specified above, then this discharge shall not cause further reduction in the concentration of dissolved oxygen.
 - b. **pH:** The pH shall not be depressed below 6.5 nor raised above 8.5 nor caused to vary from normal ambient pH levels by more than 0.5 units.
 - c. Un-ionized ammonia: 0.025 mg/l as N annual median
0.4 mg/l as N maximum
3. The discharge shall not cause a violation of any applicable water quality objective for receiving waters adopted by the Board or the State Water Resources Control Board as required by the Clean Water Act and regulations adopted thereunder. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Clean Water Act, or amendments thereto, the Board will revise and modify this Order in accordance with such more stringent standards.

D. Provisions:

Stormwater Pollution Prevention Plan (SWPPP): The discharger shall implement, evaluate and update annually the SWPPP no later than July 1st of every year, or sooner if there is a change in the operation of the facility which may substantially affect the quality of the stormwater discharged from the facility. An annual compliance report acceptable to the Executive Officer documenting the progress and problems encountered

with the implementation of the SWPPP during the previous year shall be submitted no later than July 15th of every year.

1. **Self Monitoring program:** The discharger shall conduct monitoring in accordance with the attached Self-Monitoring Program as adopted by the Board. The Self-Monitoring Program may be amended by the Executive Officer pursuant to 40 CFR 122.62, 122.63, and 124.5.
2. **Permit Reopener:** Pursuant to USEPA regulations 40 CFR 122.44, 122.62, and 124.5, the permit may be modified prior to the expiration date to add effluent limitations for toxic constituents determined to be present in significant amounts in the discharge through the monitoring program included as part of this Order.
3. **Signatory and Certification:** All applications, reports, or information submitted to the Regional Board shall be signed and certified pursuant to U.S.Environmental Protection Agency regulations (40 CFR 122.41K).
4. **Notification on Changes:** Pursuant to U.S.Environmental Protection Agency regulations [40 CFR 122.42(a)] the discharger must notify the Regional Board as soon as it knows or has reason to believe:
 - a. That they have begun or expect to begin use or manufacture of a pollutant not reported in the permit application; or
 - b. A discharge of a toxic pollutant not limited by this permit has occurred, or will occur, in concentrations that exceed the specified limits in 40 CFR 122.42(a).
5. **Standard Provisions:** This Order includes all items of the attached "Standard Provisions and Reporting Requirements" dated August 1993.
6. **Permit Expiration:** This Order expires July 15, 2003. The discharger must file a report of waste discharge in accordance with Title 23, Chapter 3, subchapter 9 of the California Administrative Code not later than 180 days in advance of the expiration date as application for issuance of new waste discharge requirements.
7. **Effective Date of Permit:** This Order shall serve as a National Pollutant Discharge Elimination System Permit pursuant to Section 402 of the Clean Water Act or amendments thereto and shall become effective ten days from the date of adoption provided the Regional Administrator, Environmental Protection Agency, has no objection. If the Regional Administrator objects to its issuance, the permit shall not become effective until such objection is withdrawn.

I, Loretta K. Barsamian, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on December 16, 1998.



Loretta K. Barsamian
Executive Officer

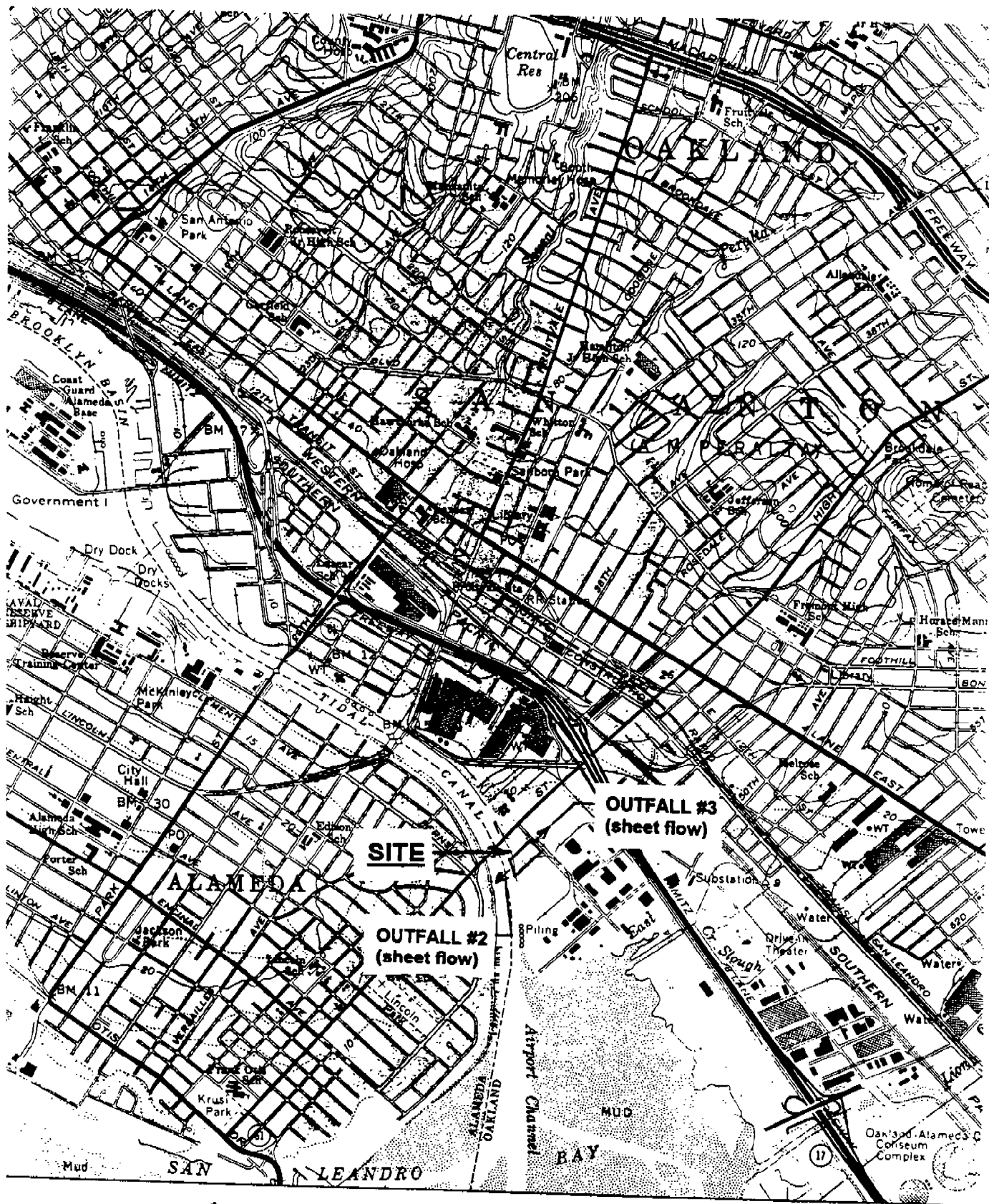
Attachments:

Figure 1 - Facility Location

Figure 2 - Facility Map

Standard Provisions and Reporting Requirements, August 1993

Self Monitoring Program - Part A (August 1993), and part B (April 1998)

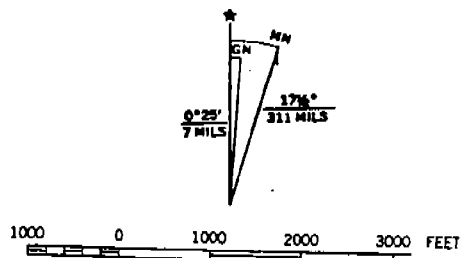


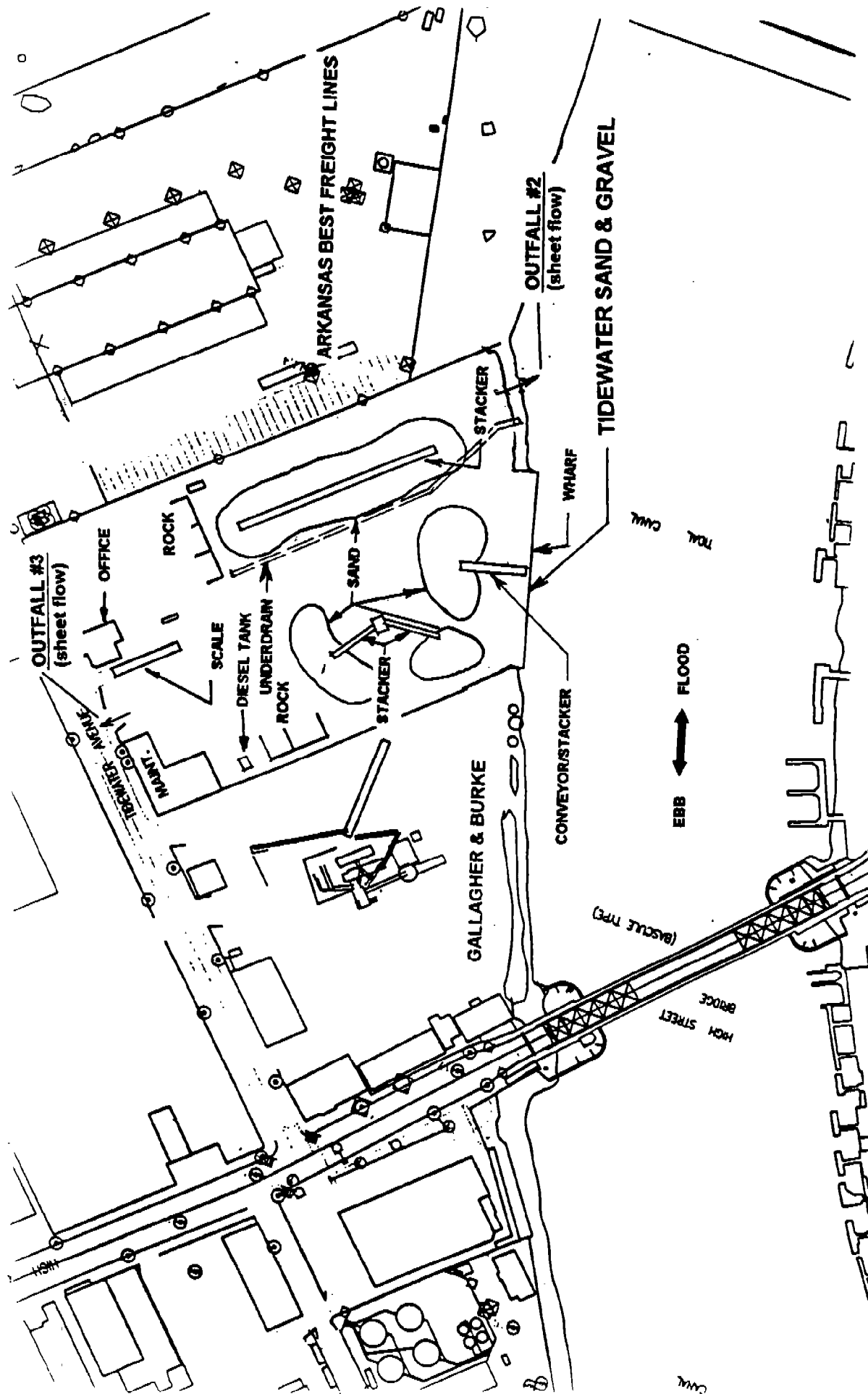
TIDEWATER SAND & GRAVEL – OAKLAND YARD

VICINITY MAP

accompanying

EPA NPDES FORM 2F





TIDEWATER SAND & GRAVEL - OAKLAND YARD

SITE MAP

accompanying

EPA NPDES FORM 2F



**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

SELF-MONITORING PROGRAM

FOR

**TIDEWATER SAND AND GRAVEL INC.
OAKLAND YARD
OAKLAND
ALAMEDA COUNTY**

**NPDES NO. CA0028533
ORDER NO 98-118**

CONSISTS OF

**PART A
DATED AUGUST 1993**

AND

**PART B
ADOPTED SEPTEMBER 16, 1998**

PART B

I. DESCRIPTION OF SAMPLING STATIONS

A. EFFLUENT

<u>Station</u>	<u>Description</u>
E-001	At a point in the outfall containing Waste 001 between the point of discharge and the point at which all waste tributary to that outfall is present.
E-004	At a point in the outfall containing Waste 004 between the point of discharge and the point at which all waste tributary to that outfall is present.

B. RECEIVING WATER

<u>Station</u>	<u>Description</u>
R-1	At a point located along the shore within 20 feet of the discharge north of the discharge point.
R-2	At a point located along the shore within 20 feet of the discharge south of the discharge point.

C. LAND OBSERVATIONS

<u>Station</u>	<u>Description</u>
L-1 thru L-'n'	Located along the facility perimeter adjacent to the water at equidistant intervals not to exceed 200 feet.

II. SCHEDULE OF SAMPLING AND ANALYSIS

The schedule of sampling and analysis is given in Table I (attached).

III. MODIFICATION OF PART A

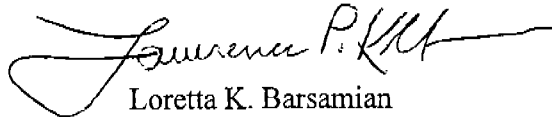
Delete items C.2.a, D.1.e, D.1.f, D.5.b, E.3, E.5, and F.4.c.

IV. MISCELLANEOUS REPORTING

Instead of monthly reports as specified in E.4, self-monitoring reports shall be submitted quarterly in the format specified in Part A of the SMP.

I, Loretta K. Barsamian, Executive Officer, hereby certify that the foregoing Self-Monitoring Program:

1. Has been developed in accordance with the procedure set forth in this Regional Board's Resolution No. 73-16 in order to obtain data and document compliance with waste discharge requirements established in Regional Board Order No. 98-118.
2. Is effective on December 16, 1998.
3. May be reviewed at any time subsequent to the effective date up written notices from the Executive Officer or request from the discharger.


Loretta K. Barsamian
Executive Officer

Attachment:

Table I Schedule for Sampling, Measurements, and Analysis

TABLE I

SCHEDULE FOR SAMPLING, MEASUREMENTS, AND ANALYSIS

Sampling Station	E-001 and E-004			R-1 and R-2 (1)		All L Stations
Type of Sample	G	Cont.	O	G	O	O
Flow Rate (mgd)		Cont.				
Settleable Matter (ml/l-hr)	D			M		
Total Suspended Matter (mg/l)	D			M		
Oil and Grease (mg/l)	M			M		
Toxicity (% survival) (2)	Q					
Turbidity (Tu)	M			M		
pH (pH units)		Cont.		M		
Dissolved Oxygen (mg/l and % saturation)	M			M		
Temperature (°C and °F)		Cont.		M		
Un-ionized Ammonia as N (mg/l)	M			M		
All applicable Standard			M		M	M
Observations						
Observe for Pollutant Runoff			E		E	E

- (1) These R station samples shall be taken concurrent with the E station samples.
- (2) The bioassay test shall be a static renewal test using three spine sticklebacks. The discharger may use the Third Edition of the USEPA methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms until otherwise specified by the Executive Officer.

LEGEND FOR TABLES

TYPE OF SAMPLES

G = grab sample
 C-24 = 24 hour composite sample
 Cont = continuous sampling
 O = observation

TYPES OF STATIONS

I = intake and/or water supply stations
 E = waste effluent stations
 R = receiving water stations
 L = parameter stations
 S = stormwater monitoring stations

FREQUENCY OF SAMPLING

E = each occurrence Cont = continuous
 H = once each hour 2/H = twice per hour 2H = every two hours
 D = once each day 2/D = twice per day 2D = every two days
 W = once each week 5/W = five days per week 2W = every two weeks
 M = once each month 2/M = twice per day 2M = every two months
 Y = once each year 2/Y = twice per year 2Y = every two years
 Q = quarterly, once in March, June, September and December